

IN THE FIFTH JUDICIAL DISTRICT COURT
IN AND FOR IRON COUNTY, STATE OF UTAH

STATE OF UTAH, Plaintiff, vs. SEAN GRAHAM, Defendant.	VERDICT Case No. 041500145 Judge G. Michael Westfall
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We, the jury duly impaneled in the above-entitled action, find as follows:

Count 1: AGGRAVATED MURDER

- A. That the Defendant, SEAN GRAHAM, is guilty of Aggravated Murder as charged in the Second Amended Information.

YES

OR

- B. That the Defendant, SEAN GRAHAM, is guilty of the lesser included offense of Murder.

~~_____~~
YES

OR

- C. That the Defendant, SEAN GRAHAM, is guilty of the lesser included offense of Manslaughter.

YES

OR

- D. That the Defendant, SEAN GRAHAM, is not guilty of Aggravated Murder as charged in the Second Amended Information, as the offense is unproven by the burden of evidence required; and not guilty of the lesser included offense of

Murder; and **not guilty** of the lesser included offense of Manslaughter as defined in these instructions.

YES

Count 2: AGGRAVATED KIDNAPPING

- A. That the Defendant, SEAN GRAHAM, is **guilty** of Aggravated Kidnapping as charged in the Second Amended Information.

~~_____
YES~~

OR

- B. That the Defendant, SEAN GRAHAM, is **guilty** of the lesser included offense of Kidnapping.

YES

OR

- C. That the Defendant, SEAN GRAHAM, is **not guilty** of Aggravated Kidnapping as charged in the Second Amended Information, as the offense is unproven by the burden of evidence required; and **not guilty** of the lesser included offense of Kidnapping.

YES

Count 3: THEFT OF AN OPERABLE MOTOR VEHICLE

- A. That the Defendant, SEAN GRAHAM, is **guilty** of Theft of an Operable Motor Vehicle as charged in the Second Amended Information.

~~_____
YES~~

OR

- B. That the Defendant, SEAN GRAHAM, is **not guilty** of Theft of an Operable Motor Vehicle as charged in the Second Amended Information, as the offense is unproven by the burden of evidence required.

YES

Count 4: THEFT

- A. That the Defendant, SEAN GRAHAM, is **guilty** of Theft as charged in the Second Amended Information.

X
YES

OR

- B. That the Defendant, SEAN GRAHAM, is **not guilty** of Theft as charged in the Second Amended Information, as the offense is unproven by the burden of evidence required.

YES

SPECIAL VERDICT

- A. That the Defendant, Sean Graham, did cause the death of Anson Arnett while engaged in the commission of, or an attempt to commit, or flight after committing or attempting to commit Aggravated Kidnapping or Kidnapping.

X
YES

OR

- B. That the Defendant, Sean Graham, did not cause the death of Anson Arnett while engaged in the commission of, or an attempt to commit, or flight after committing or attempting to commit Aggravated Kidnapping or Kidnapping.

YES

The jury foreperson should mark only one "yes," for each count, and one "yes" for the special verdict on this jury verdict.

DATED this 30 day of May, 2007.

SCOTT F. GARRETT (#8687)
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10/13/2007 11:51

IRON COUNTY

At

IN THE FIFTH JUDICIAL DISTRICT COURT, IN AND FOR IRON COUNTY,
STATE OF UTAH

STATE OF UTAH,)	SECOND AMENDED
)	INFORMATION
Plaintiff,)	
vs.)	
SEAN GRAHAM,)	Criminal No. 041500145
d.o.b. 12/28/86,)	Judge G. Michael Westfall
Defendant.)	

Based upon his review and screening of the investigative materials in this matter, the undersigned complainant, Scott F. Garrett, Iron County Attorney, under oath, states on information and belief that the above-named Defendant, SEAN GRAHAM, committed the following crimes, to wit:

COUNT I: AGGRAVATED MURDER, a Capital Offense, in violation of Title 76, Chapter 5, Section 202, and Title 76, Chapter 2, Section 202, Utah Code Annotated, 1953 as amended, in that on or about March 8, 2004, in Iron County, State of Utah, the said Sean Graham did intentionally or knowingly cause the death of another, and the homicide was committed while the actor was engaged in the commission of, or an attempt to commit, or flight after committing or attempting to commit, aggravated kidnapping or kidnapping.

Notice of Sentence: Aggravated Murder is a capital offense, punishable by death, an indeterminate prison term of not less than twenty (20) years and which may be for life, or life in prison without parole.

COUNT II: AGGRAVATED KIDNAPPING, a First-Degree Felony, in violation of Title 76, Chapter 5, Section 301, and Title 76, Chapter 5, Section 302, and Title 76, Chapter 2, Section 202, Utah Code Annotated, 1953 as amended, in that on or about March 8, 2004, in Iron County, State of Utah, the said Sean Graham did knowingly and intentionally, without authority of law, and against the will of the victim, detain or restrain the victim for any substantial period of time; or did detain or restrain the victim in circumstances exposing the victim to risk or bodily injury; and in the course of committing unlawful detention or kidnapping, the defendant possessed, used, or threatened to use a dangerous weapon, or the defendant acted with the intent to facilitate the commission, attempted commission, or flight after commission or attempted commission of a felony; or to hinder or delay the discovery of or reporting of a felony; or to inflict bodily injury on or to terrorize the victim or another.

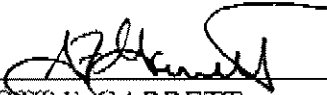
Notice of Sentence: Aggravated Kidnapping is a first-degree felony, punishable by imprisonment for an indeterminate term of not less than six (6), ten (10), or fifteen (15) years, and which may be for life.

COUNT III: THEFT OF AN OPERABLE MOTOR VEHICLE, a Second-Degree Felony, in violation of Title 76, Chapter 6, Section 404, and Title 76, Chapter 6, Section 412, Utah Code Annotated, 1953 as amended, in that on or about March 8, 2004, in Iron County, State of Utah, the said Sean Graham did obtain or exercise unauthorized control over the property of another with a purpose to deprive the owner thereof.

COUNT IV: THEFT, a Class B Misdemeanor, in violation of Title 76, Chapter 6, Section 404, Utah Code Annotated, 1953 as amended, in that on or about March 8, 2004, in Iron County, State of Utah, the said Sean Graham did knowingly or intentionally obtain or exercise unauthorized control over the property of another with a purpose to deprive him thereof, said property having an approximate value of less than \$300.

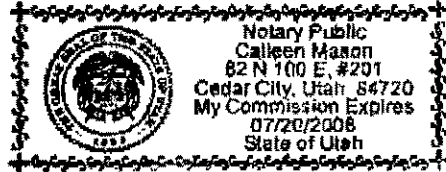
This Information is based on evidence provided by Lieutenant David Holm, Officer Nate Williams, Sergeant Jerry Womack, Sergeant David Bulloch, Officer Destry Griffiths, and Lieutenant Roy Houchen of the Cedar City Police Department.


DATED this 18th day of August, 2006.



SCOTT F. GARRETT
Iron County Attorney

SUBSCRIBED AND SWORN to before me on this 18th day of August, 2006, by Scott F. Garrett.





NOTARY PUBLIC
Residing in Iron County, State of Utah